

AO 91 (Rev. 11/11) Criminal Complaint (modified by USAO for telephone or other reliable electronic means)

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Gene A. SCOTT

Case No. 2:23-mj-87

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 28, to February 1, 2023 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

18 USC 922(g)(1)

Offense Description

Knowingly Possess a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

SEE ATTACHED

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 2/8/2023

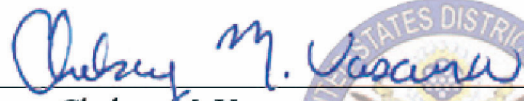
City and state: Columbus Ohio



Complainant's signature

S. Chappell ATF TFO

Printed name and title



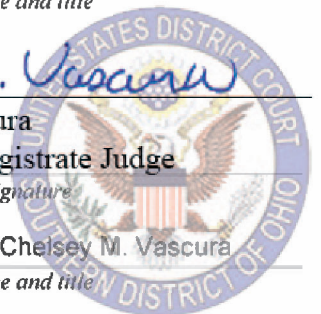
Chelsey M. Vascura

United States Magistrate Judge

Judge's signature

US Magistrate Judge Chelsey M. Vascura

Printed name and title



PROBABLE CAUSE AFFIDAVIT
Gene A. SCOTT

I, Samuel Chappell, being duly sworn, depose and state that:

1. I have been an Officer with the Columbus Division of Police (CPD) since 2007. I have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO) since 2017. As a result of my training and experience, I am familiar with state and federal laws pertaining to firearms and narcotics violations, among other offenses.
2. This affidavit is being submitted in support of an application for a criminal complaint against Gene A. SCOTT (hereinafter referred to as SCOTT) for, knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessing a firearm, and the firearm was in and affecting interstate commerce, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).
3. The facts set forth within this affidavit come from the Affiant's own personal involvement with the investigation, as well as information provided by other law enforcement officers and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that SCOTT committed this offense.
4. According to a CPD report that I have reviewed, on or about February 1, 2023, a search warrant was executed at 4926 Arbor Village Dr., Apt A., Columbus, Ohio. Investigators confirmed this address was SCOTT's listed address on his Ohio Driver's License as well as the address of a vehicle registered by SCOTT.
5. Investigators executed the warrant to look for evidence of murder. Investigators had received information that SCOTT's girlfriend was missing and that she had been murdered by SCOTT.
6. During the search investigators located a Sears & Roebuck Co. 22. Caliber rifle in a bedroom in plain view leaning against the wall, ammunition, and a Hi-Point C9 9mm pistol under a bed. Investigators wrote a second search warrant to seize the firearms and ammunition.
7. Investigators issued a warrant charging SCOTT with violation O.R.C. 2923.13 weapons under disability. The Kentucky State Police conducted a traffic stop on SCOTT. SCOTT was driving his 2014 Chevrolet Silverado truck at the time of the stop.
8. On or about February 2, 2023, a search warrant was executed on SCOTT's truck. A Jimenez Arms 9mm pistol was found inside of the vehicle.
9. On or about February 8, 2023, SCOTT was transported to Columbus Police Headquarters for an interview. Investigators read SCOTT his rights and he agreed to speak with investigators. SCOTT admitted that the Sears & Roebuck Co. 22. Caliber rifle was his. SCOTT denied knowledge of the Hi-Point 9mm pistol. SCOTT stated that it must belong to his girlfriend.

PROBABLE CAUSE AFFIDAVIT

Gene A. SCOTT

10. SCOTT stated the last time he had observed his girlfriend was at his residence on January 29, 2023.
11. SCOTT was prohibited from possession of a firearm based upon having been previously convicted of the following crime punishable by a term of imprisonment exceeding one year:
 - a. Summit County, Ohio Court of Common Pleas case CR1997-09-1958 for felonious assault and aggravated robbery.
12. Summit County, Ohio Court of Common Pleas case CR1997-09-1958 show that on or about February 27, 1998, SCOTT was sentenced to eighteen years of imprisonment.
13. Your Affiant confirmed via ATF resources that the aforementioned firearm recovered from SCOTT's residence on or about February 1, 2023, was not manufactured in the State of Ohio and therefore had previously traveled in interstate commerce to reach the State of Ohio.
14. The aforementioned offenses occurred in Franklin County, Ohio, in the Southern Judicial District of Ohio.
15. Based on this information, your affiant believes probable cause exists that SCOTT, knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, a Sears & Roebuck Co. 22. Caliber rifle, and the firearm was in and affecting interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).


ATF TFO Samuel Chappell

Sworn to and subscribed before me this day of February 8, 2023, at 4:27pm Columbus,
Ohio.


CHELSEY M. VASCURA
U.S. MAGISTRATE JUDGE